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America and the World—The Effects of the Trump Presidency

"America First" Meets Liberal Internationalism<sup>1</sup>

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#### Introduction

Candidate Trump, and then President Trump, advocated for a dramatic change in the direction of American foreign policy, which he labelled "America First." His vision stood in stark contrast to the liberal internationalism (LI) pursued by most presidents since World War II. For Trump, unilateralism would replace multilateralism; retrenchment would replace global engagement; pursuit of short-term, transactional American interests above all else would replace international cooperation. These dramatic changes in direction were to be accomplished through many smaller steps taken in relation to each issue area and across many countries.

A central claim we made in our original article<sup>2</sup> was that Trump's attempts to change American foreign policy would be constrained by domestic and international forces. In terms of domestic constraints, elements of American democracy–its checks and balances–would make radical change difficult. As we show below, agents within key institutions of democracy pushed back against many of the Trump administration's policy changes. The usual suspects, like Congress, interest groups, and the American foreign policy and military bureaucracies, played large roles.<sup>3</sup> The judicial system was a surprisingly strong and somewhat unexpected constraining force. The press and media also kept keen attention on the changes being proposed by the administration. Trump would have been able to make many more changes had he faced fewer domestic constraints. Democracy may have advantages in slowing policy change down, and tuning it more to structural constraints, rather than idiosyncratic leadership preferences.

The second set of constraints arose from international pressure on the U.S., and especially reactions to confrontational and unilateral policies that Trump might pursue. Trump wanted to change relations with allies of the U.S. by making them do more for themselves and pay more, and to negotiate new deals with its partners, competitors, and enemies. But the United States' allies and enemies remain the same today as they were four years ago. The fundamental common interests of the U.S. with its allies and its differences with particular enemies continue. Unilateral policies are unlikely to be successful in bringing peace, prosperity, and security to the U.S. in the world in which we live. This interdependent planet we all inhabit favors engagement, cooperation, and multilateralism. Unilateral policies are unlikely to advance America's main goals; indeed, they are likely to backfire and undermine its security and prosperity. And so multilateral engagement remained (and remains) in America's national interest as the best strategy for securing peace and prosperity.

<sup>&</sup>lt;sup>1</sup> We would like to thank Tom Cunningham for research assistance and David Baldwin, Robert Jervis, Robert Keohane, Colin Chia, Anne Jamison, Nikhil Kalyanpur, and Paul Poast for comments. This essay was written in December/January 2020/2021.

<sup>&</sup>lt;sup>2</sup> Stephen Chaudoin, Helen V. Milner, and Dustin Tingley "A Liberal International American Foreign Policy? Maybe Down but Not Out," in Robert Jervis, Francis J. Gavin, Joshua Rovner, and Diane Labrosse, eds., Chaos in the Liberal Order: The Trump Presidency and International Politics in the Twenty-First Century (New York: Columbia University Press, 2018), 61-97.

<sup>&</sup>lt;sup>3</sup> Peter Baker, "A Whirlwind Envelops the White House, and the Revolving Door Spins." *The New York Times*, 12 February 2018, https://www.nytimes.com/2018/02/12/us/politics/trump-white-house-staff-turnover.html

Overall, Trump was not able to fundamentally change the direction of U.S. foreign policy. While the tone of U.S. foreign policy did change (as exemplified by his many tweets), the underlying policies were often constrained, as we expected. Thus, we believe that President Joe Biden will be able to return to a more liberal internationalist posture. The Biden administration will be more attuned to structural pressures. Trump's foreign policy has weakened the United States. His undiplomatic rhetoric, his norm-breaking behavior, and his inconstant policy maneuvers have alienated America's allies and friends, and instilled greater boldness in its competitors and enemies. All of this has left the U.S. with a less secure position in world politics at a time when China's rise creates new uncertainties. The Biden administration will have to try to reverse this debilitating course.

In this article, we review the same areas that we focused on in our earlier essay: foreign aid, international trade, immigration, non-multilateral institutions, a collection of security instruments (e.g., the NATO alliance, military deployments, arms control), and climate change. An exhaustive list of every foreign policy decision made under Trump is beyond the scope of this essay. These areas cover some of the most important pillars of foreign policy.

We argue that domestic and international constraints were most restrictive for Trump's desired changes to foreign aid, NATO, multilateralism in general, and immigration. They were least constraining on trade policy. Domestic institutions, in the first instance, prevented radical change. And for some of these areas, international reactions also prevented greater change. We conclude by looking ahead to the potential policies of the Biden administration and reflecting on the implications for IR theory of the Trump administration.

The biggest departures between our arguments about domestic constraints and the empirical record came from our underestimation of the degree to which the courts, not the legislature, would constrain Trump and our underestimation of the degree to which Trump would use unilateral executive actions. The good news about the latter is that what the one administration's Executive Order gives, the next administration's pen can take away.

Several important examples demonstrate our second set of constraints: that the nature of the international system would constrain Trump. Since U.S. withdrawal ceded ground to countries like China, Trump was frequently pushed to stay with status quo policies though his preferences were for larger breaks. In many cases, especially those involving the military or directly dealing with China or Russia, this prediction found support. International systemic factors were least constraining when the Trump administration failed to rationally anticipate, i.e., did not "look down the game tree," and instead forged ahead with retreat, letting adversaries fill the void. However, here too, the Biden administration already appears to be resuming a more engaged posture to advance U.S. interests.

To be clear, we don't expect that the Biden administration will return to the liberal internationalism "of old." The country faces new circumstances domestically and internationally to which American foreign policy must respond. Underneath the bluster, President Trump's actions occasionally revealed genuine faults with existing policy that need to be rectified. Re-adopting the exact policies of previous decades will not fix those, or any new, problems. Ultimately, though, we think that the United States' foreign policy will continue to adapt and address these problems through a lens of international engagement.

## Taking Stock

Overview

We proceed by breaking apart U.S. foreign policy into six separate domains and comparing Trump's claims about what his administration would accomplish and what actually happened. Predictions are difficult to make and interpret, especially when the specific foreign policy issues and crises that will arise during a four year administration are not known *ex ante*. Unanticipated events, like COVID-19, can change the international agenda in unforeseen ways. We therefore focus on benchmarking our arguments by assessing the degree to which domestic and international constraints limited Trump's policy-altering ambitions.

We focus on policies, rather than on rhetoric or soft power. Undoubtedly, Trump's words and events like the 06 January 2021 Capital riots damaged both. However, rhetoric can usually be changed more quickly than policies.

# Foreign Aid

<sup>&</sup>lt;sup>4</sup> Philip E. Tetlock and Dan Gardner. Superforecasting: The Art and Science of Prediction (New York: Random House, 2016).

In our earlier article, we argued that "foreign aid will continue roughly in the same size because it supports U.S. national interests, but with different primary aims and targets." Despite repeated attempts by the Trump administration to slash budgets, Congress each time funded U.S. bilateral foreign aid budgets at levels close to but slightly lower than those of the Obama administration. Even multilateral development banks were funded at the same level as those seen under the George W. Bush administration.<sup>5</sup>

Foreign aid priorities changed, as they do with any administration. For example, President George W. Bush's President's Emergency Plan for AIDS Relief (PEPFAR) targeted foreign aid at the prevention and treatment of AIDS in Africa. The Trump administration advanced some targeted, specific foreign aid agenda items. Senior Advisor Ivanka Trump led efforts around investing in women's economic development, and Vice President Mike Pence led efforts around the protection of religious minorities. When aid cuts were being proposed, these projects were spared.

Concerned by increases in the number of Central American migrants coming to the U.S., Trump threatened to cut foreign aid to these countries. Aid to Guatemala and El Salvador stayed roughly the same or grew during the Trump administration, while Honduras faced the brunt of cuts. In June of 2020, Secretary of State Mike Pompeo announced new funds to be directed to these countries, writing "This assistance will promote U.S. national security and further the President's goal of decreasing illegal immigration to the United States."

Initially, the Trump administration wanted to completely eliminate the Overseas Private Investment Corporation (OPIC). <sup>10</sup> Instead, his 2018 Better Utilization of Investment Leading to Development (BUILD) Act passed with bipartisan support and established the International Financial Development Corporation. In many ways it is similar to OPIC, <sup>11</sup> and its revitalization reflected the growing perception that China's increasing soft power capability requires sustained American investment. <sup>12</sup>

<sup>&</sup>lt;sup>5</sup> Rebecca M. Nelson, *Multilateral Development Banks: U.S. Contributions FY2000 - FY2020*, CRS Report No. RS20792 (Washington, D.C.: Congressional Research Service, 2020), <a href="https://fas.org/sgp/crs/misc/RS20792.pdf">https://fas.org/sgp/crs/misc/RS20792.pdf</a>.

<sup>&</sup>lt;sup>6</sup> Avantika Chilkoti, "With World Bank Initiative, a Change in Tone for Trump Administration," *The New York Times*, 19 July 2019, <a href="https://www.nytimes.com/2017/07/19/us/politics/world-bank-initiative-multilateral-institutions.html">https://www.nytimes.com/2017/07/19/us/politics/world-bank-initiative-multilateral-institutions.html</a>; Paul M. Krawzak, "White House Foreign Aid Cuts to Spare Ivanka, Pence Favorite Programs," *Roll Call*, 13 August 2019, <a href="https://www.rollcall.com/2019/08/13/white-house-foreign-aid-cuts-to-spare-ivanka-pence-favorite-programs/">https://www.rollcall.com/2019/08/13/white-house-foreign-aid-cuts-to-spare-ivanka-pence-favorite-programs/</a>

<sup>&</sup>lt;sup>7</sup> United States Agency for International Development Foreign Aid Explorer (U.S. Foreign Aid by Country (Guatemala)), <a href="https://explorer.usaid.gov/cd/GTM">https://explorer.usaid.gov/cd/GTM</a>, United States Agency for International Development Foreign Aid Explorer (U.S. Foreign Aid by Country (El Salvador)), <a href="https://explorer.usaid.gov/cd/SLV">https://explorer.usaid.gov/cd/GTM</a>, United States Agency for International Development Foreign Aid Explorer (U.S. Foreign Aid by Country (El Salvador)), <a href="https://explorer.usaid.gov/cd/SLV">https://explorer.usaid.gov/cd/SLV</a>.

 $<sup>^{8}\</sup> United\ States\ Agency\ for\ International\ Development\ Foreign\ Aid\ Explorer\ (U.S.\ Foreign\ Aid\ by\ Country\ (Honduras)), \\ \frac{https://explorer.usaid.gov/cd/HND}{https://explorer.usaid.gov/cd/HND}$ 

<sup>&</sup>lt;sup>9</sup> As of writing, it appears these funds were delivered. United States Department of State, Michael R. Pompeo, "United States Provides Additional U.S. Foreign Assistance for El Salvador, Guatemala, and Honduras," (press release, Washington, D.C.: Department of State, 2020) <a href="https://gt.usembassy.gov/united-states-provides-additional-u-s-foreign-assistance-for-el-salvador-guatemala-and-honduras/#:~:text=Recently%2C%20I%20informed%20Congress%20of,immigration%20to%20the%20United%20States.">https://gt.usembassy.gov/united-states-provides-additional-u-s-foreign-assistance-for-el-salvador-guatemala-and-honduras/#:~:text=Recently%2C%20I%20informed%20Congress%20of,immigration%20to%20the%20United%20States.</a>; On the topic of foreign aid and immigration, see Sarah Blodgett Bermeo and David Leblang, "Migration and Foreign Aid." *International Organization* 69:3 (2015): 627-657, DOI: <a href="https://doi.org/10.1017/S0020818315000119">https://doi.org/10.1017/S0020818315000119</a>.

<sup>&</sup>lt;sup>10</sup> Todd Moss, "The Trump Administration Budget Wants to Shut Down OPIC. Instead, Super-Size It," *Commentary and Analysis* (blog), *Center for Global Development*, 16 March 2017, <a href="https://www.cgdev.org/blog/trump-administration-budget-wants-shut-down-opic-instead-super-size-it">https://www.cgdev.org/blog/trump-administration-budget-wants-shut-down-opic-instead-super-size-it</a>

<sup>&</sup>lt;sup>11</sup> The main difference between the institutions comes down to the new ability to make equity investments.

<sup>12 &</sup>quot;The IDFC has bipartisan Congressional support, reflecting the long-standing tradition of working across the aisle when it comes to development and humanitarian assistance...It looks as though concern about China's growing influence in developing countries has been the driver of the administration's new embrace of development assistance and soft power." John Campbell, "President Trump Embraces Foreign Aid After Trying to Gut It," *Africa in Transition* (blog), *Council on Foreign Relations*, 16 October 2018, <a href="https://www.cfr.org/blog/president-trump-embraces-foreign-aid-after-trying-gut-it">https://www.cfr.org/blog/president-trump-embraces-foreign-aid-after-trying-gut-it</a>

Organizationally, the Trump administration made some significant changes. The appointment of David Malpass at the World Bank in 2019 made a brief impression, given that he had been critical of the institution in the past. But the impact of his appointment on the organization appears to have been minimal. Several press accounts portrayed his efforts to distance himself from the President, and he notably broke with the Trump administration on the issue of climate change. <sup>13</sup> There were no attempts to fold the U.S. Agency for International Development (USAID) into the State Department, and some development advocates have argued that organizational changes at USAID have been positive. <sup>14</sup> The United States continues to have one of the highest percentages of bilateral aid that is tied to purchases from U.S. companies, reflecting the powerful domestic political economy forces that are present in U.S. aid policy.

By and large, little changed in the domain of foreign aid. In general, both domestic and international constraints pushed back against large foreign aid cuts. Congress repeatedly halted attempts to cut funds or make dramatic organizational changes. Prominent military officials recognized the international constraints that bind the U.S. when its leaders try to cut foreign aid. Foreign aid isn't a gift; it is a strategically deployed asset to advance U.S. interests. As General James Mattis, who was then Trump's Secretary of Defense, said regarding Trump's proposed cuts, "if you don't fund the State Department fully, then I need to buy more ammunition." And the rise of Chinese soft-power reinforced the need for tools like foreign aid and investment promotion instruments.

## International Trade Policy

Our arguments found the least support in the area of international trade policy. President Trump opened up a multi-front trade war with virtually all of the United States' major trading partners, catching a wide array of products in the crosshairs. The ensuing foreign retaliation, as we predicted, targeted geographic areas in the U.S., with the goal of maximizing political pain for Trump.

The major trade policy changes were less consistent with our predictions because we expected Trump and the Republican Party to engage in "backwards induction" by recognizing the consequences of a widespread trade war and therefore choosing not to start one in the first place. Analyzing the 2018 midterm elections, academic researchers estimate that the trade war cost Trump approximately five seats in the House of Representatives. <sup>16</sup> We incorrectly anticipated that this type of cost – stemming from international and domestic constraints – would dissuade Trump from engaging in a protracted, all-out war to begin with. Congressional pushback against the trade war and industry opposition did materialize, but it failed to prevent Trump from conducting a large-scale trade war, even if he mollified some pushback from the agriculture producers hit hardest by trade retaliation with a multi-billion dollar bailout. <sup>17</sup> All told, Trump had relatively free reign to conduct an unsuccessful trade war. As some scholars have noted, this may have been due to the fact that even more aspects of trade policy have been delegated to the president over time, thus eroding constraints on the executive. <sup>18</sup>

<sup>&</sup>lt;sup>13</sup> Alan Rappaport and Lisa Friedman, "Trump's World Bank Nominee Tries to Distance Himself From the President," *The New York Times*, 13 March 2019, <a href="https://www.nytimes.com/2019/03/13/us/politics/david-malpass-world-bank.html">https://www.nytimes.com/2019/03/13/us/politics/david-malpass-world-bank.html</a>

<sup>&</sup>lt;sup>14</sup> Michael Igoe, "Disrupt and Compete: How Trump Changed U.S. Foreign Aid," *The Future of U.S. Aid* (blog), *devex*, 21 August 2020, <a href="https://www.devex.com/news/disrupt-and-compete-how-trump-changed-us-foreign-aid-97955">https://www.devex.com/news/disrupt-and-compete-how-trump-changed-us-foreign-aid-97955</a>; "Transforming U.S.AID's Structure," United States Agency for International Development, <a href="https://www.usaid.gov/what-we-do/transformation-at-usaid/transforming-structure">https://www.usaid.gov/what-we-do/transformation-at-usaid/transforming-structure</a>

<sup>15</sup> Testimony of then-U.S. Central Command Commander James Mattis before the Senate Armed Services Committee, 2013. Requoted in a letter from past U.S. generals opposing Trump's foreign aid cuts. Dan Lamothe, "Retired Generals Cite Past Comments from Mattis While Opposing Trump's Proposed Foreign Aid Cuts," *The Washington Post*, 27 February 2017, <a href="https://www.washingtonpost.com/news/checkpoint/wp/2017/02/27/retired-generals-cite-past-comments-from-mattis-while-opposing-trumps-proposed-foreign-aid-cuts/">https://www.washingtonpost.com/news/checkpoint/wp/2017/02/27/retired-generals-cite-past-comments-from-mattis-while-opposing-trumps-proposed-foreign-aid-cuts/</a>.

<sup>&</sup>lt;sup>16</sup> See Emily J. Blanchard, Chad P. Bown, and Davin Chor, "Did Trump's Trade War Impact the 2018 Election?," (working paper, National Bureau of Economic Research, 2019), 26434, DOI: <a href="https://doi.org/10.3386/w26434">https://doi.org/10.3386/w26434</a>; Sung Eun Kim and Yotam Margalit, "Tariffs as Electoral Weapons: The Political Geography of the U.S.-China Trade War," *International Organization*, (January 2021): 1-38, DOI: <a href="https://doi.org/10.1017/S0020818320000612">https://doi.org/10.1017/S0020818320000612</a>.

<sup>&</sup>lt;sup>17</sup> Philip Bump. "Trump's Farmer Bailout Gave \$21 Billion to Red Counties and \$2.1 Billion to Blue Ones," *The Washington Post*, 20 October 2020, https://www.washingtonpost.com/politics/2020/10/20/trumps-farmer-bailout-has-given-21-billion-red-counties-21-billion-blue-ones/.

<sup>&</sup>lt;sup>18</sup> Judith Goldstein and Robert Gulotty. "America and Trade Liberalization: The Limits of Institutional Reform." *International Organization* 68:2 (April 2014): 263-295. DOI: https://doi.org/10.1017/S0020818313000490.

Ironically, even with the most significant trade war in over three decades, the U.S. trade deficit *grew* slightly. U.S. exports and imports remained relatively stable until the pandemic hit in 2020. Figure 1 shows the real value of imports (red) and exports (blue), quarterly from 2015 until December 2020.<sup>19</sup> While the COVID-19 pandemic clearly had a tremendous effect on global trade, Trump's trade war did not achieve its main goals of shifting the U.S. balance of trade.

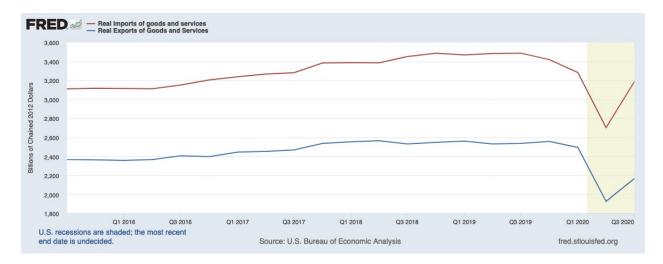


Figure 1: Real U.S. Exports and Imports, 2015-2020

Additionally, the Senate passed the USMCA (or the "New NAFTA") by an 89-10 margin, and it passed the House 385-41. In terms of its substance, the USMCA drew heavily from the Trans-Pacific Partnership, an Obama-era agreement that Trump left in his first year in office. <sup>20</sup>

However, the United States missed opportunities, as China proved willing to forge ahead with the U.S. on the sidelines. In late 2020, most of the largest Asian economies signed onto the Regional Comprehensive Economic Partnership.<sup>21</sup> Analysts suspect that the Biden administration wishes to join the Comprehensive Progressive Trans-Pacific Partnership (the renamed TPP) as a way to reassert U.S. leadership in the region. It is unclear, however, whether he would find sufficient Congressional support.<sup>22</sup>

The common theme of these events, which also applies to the Biden administration, is the fundamental international constraint that either the U.S. engages to provide leadership to advance its preferences or the world will move on without the United States and without (as much) regard to its interests. The lack of U.S. leadership on trade was will be quickly filled by other countries with their own agendas. The European Union is set to implement a border tax policy to address climate change, which will be one of the most powerful policy linkages between trade and climate change to date. As President Biden considers how to address climate change using trade tools, he will

<sup>&</sup>lt;sup>19</sup> Census Bureau via Federal Reserve Bank of St. Louis FRED Database, (Trade Balance: Goods and Services, Balance of Payments Basis [BOPGSTB]), <a href="https://fred.stlouisfed.org/series/BOPGSTB">https://fred.stlouisfed.org/series/BOPGSTB</a>.

<sup>&</sup>lt;sup>20</sup> Mary E. Lovely and Jeffrey J. Schott, "The USMCA: New, Modestly Improved, but Still Costly," *Trade and Investment Policy Watch* (blog), *Peterson Institute for International Economics*, 17 December 2019, <a href="https://www.piie.com/blogs/trade-and-investment-policy-watch/usmca-new-modestly-improved-still-costly">https://www.piie.com/blogs/trade-and-investment-policy-watch/usmca-new-modestly-improved-still-costly</a>.

<sup>&</sup>lt;sup>21</sup> Julie McCarthy, "Asia-Pacific Nations Sign Huge Trade Deal With China While U.S. Sits It Out." *National Public Radio*, 17 November 2020, <a href="https://www.npr.org/2020/11/17/935322859/asia-pacific-allies-sign-huge-trade-deal-with-china-while-u-s-sits-it-out">https://www.npr.org/2020/11/17/935322859/asia-pacific-allies-sign-huge-trade-deal-with-china-while-u-s-sits-it-out</a>.

<sup>&</sup>lt;sup>22</sup> Yen Nee Lee, "Biden Could Rebuild Trade Deal With Asia-Pacific to Counter China's Dominance, Says Think Tank," *NBC News*, 3 December 2020, <a href="https://www.cnbc.com/2020/12/03/biden-could-rebuild-trade-deal-with-asia-pacific-to-counter-china-piie.html">https://www.cnbc.com/2020/12/03/biden-could-rebuild-trade-deal-with-asia-pacific-to-counter-china-piie.html</a>.

face a similar dilemma: whether to sit back and let others lead or to inject a U.S. presence and its preferences into these international policies.<sup>23</sup> We return to this topic below.

## Immigration

The Trump administration's efforts in terms of immigration policy were probably the most contentious of any policy area, other than, perhaps, his efforts to overturn his 2020 election loss. While many of these efforts were ultimately thwarted, they nonetheless were profoundly disruptive.

In our first essay, we argued that the rising number of Latino citizens in key states would constrain what the Republican Party, and the Trump administration, would be willing to do, and that the economic interests of a number of large, technology-oriented, companies would counter opposition to the H-1B program. We also noted that Trump was likely to follow through with attempting to limit travel to the U.S. from Muslim countries.

In fact, it was the U.S. court system that provided the largest check on Trump's immigration policies, even if some policies eventually were allowed to proceed. These checks came in several forms: judicial rebukes based on the policies themselves, and rebukes based on various procedural mistakes by Trump and others.

The 'Muslim travel ban' went through a series of decisions in a variety of forums with a string of rebukes issued by various federal judges and courts of appeal. The policy came before the Supreme Court several times. Ultimately after some changes to the policy, the Court upheld the Trump administration's policy based on the administration's claim that travelers from these countries were a security threat. The five-justice majority decision argued that the executive branch has the right to set policies that deal with security threats to the nation.<sup>24</sup>

The Obama administration's 2012 DACA (Deferred Action for Childhood Arrivals) policy was a major target of the Trump administration. While it was able to put various restrictions in place and tried to circumvent a range of legal decisions that prevented Trump from closing the program down, DACA remains in place. In June of 2020, the Supreme Court ruled that the administration's termination of the program was judicially reviewable and violated the Administrative Procedures Act due to its "arbitrary and capricious manner." In December of 2020 a Federal judge ordered the administration to begin allowing new applicants to the DACA program. <sup>25</sup> Challenges in other circuits may produce inconsistent rulings. <sup>26</sup> A December 2020 Pew survey found that "about three-quarters of respondents, including majorities of both Democrats and Republicans, favored extending a pathway to permanent legal status to dreamers." <sup>27</sup>

Visas

<sup>&</sup>lt;sup>23</sup> John Ivison, "Carbon Border Tax Under Biden Likely Not Imminent, but it May Be Inevitable," *National Post*, 9 November 2020, https://nationalpost.com/opinion/john-ivison-carbon-border-tax-under-biden-likely-not-imminent-but-it-may-be-inevitable.

<sup>&</sup>lt;sup>24</sup> American Civil Liberties Union of Washington, "Timeline of the Muslim Ban," <a href="https://www.aclu-wa.org/pages/timeline-muslim-ban">https://www.aclu-wa.org/pages/timeline-muslim-ban</a>; Amy Howe, "Divided Court Upholds Trump Travel Ban," <a href="https://www.scotusblog.com/2018/06/opinion-analysis-divided-court-upholds-trump-travel-ban/">https://www.scotusblog.com/2018/06/opinion-analysis-divided-court-upholds-trump-travel-ban/</a>

<sup>&</sup>lt;sup>25</sup> Josh Gerstein, "Judge Orders Trump Administration to Restore DACA," *Politico*, 4 December 2020, https://www.politico.com/news/2020/12/04/daca-restored-ruling-442999

<sup>&</sup>lt;sup>26</sup> Julian Aguilar, "A Texas Case Challenging the Legality of DACA is Back in Federal Court," *Texas Tribune*, 18 December 2020, <a href="https://www.texastribune.org/2020/12/18/texas-daca-challenge/">https://www.texastribune.org/2020/12/18/texas-daca-challenge/</a>; Michelle Hackman, "Texas Challenges Legality of DACA in Latest Bid to End the Program," *The Wall Street Journal*, 21 December, <a href="https://www.wsj.com/articles/texas-challenges-legality-of-daca-in-latest-bid-to-end-the-program-11608575254">https://www.wsj.com/articles/texas-challenges-legality-of-daca-in-latest-bid-to-end-the-program-11608575254</a>

<sup>&</sup>lt;sup>27</sup> Caitlin Dickerson and Michael D. Shear, "Judge Orders Government to Fully Reinstate DACA Program," *The New York Times*, 4 December 2020, https://www.nytimes.com/2020/12/04/us/daca-reinstated.html

Throughout Trump's presidency he sought to target the various visa programs that enable foreign workers to come to the United States. The three main visa programs are the H-1B (specialty occupations like in technology), H-2A (temporary agricultural workers), and H-2B (temporary non-agricultural workers). Figure 2 presents data on the total number of visa petitions approved at the first stage of the approval process and the percentage of petitions requests approved. <sup>28</sup> Throughout the majority of Trump's tenure, all of these programs had similar or even higher levels of approved petitions. The only exception occurred in 2020 when, as discussed below, Trump began to especially focus on decreasing H-2B visas. <sup>29</sup>

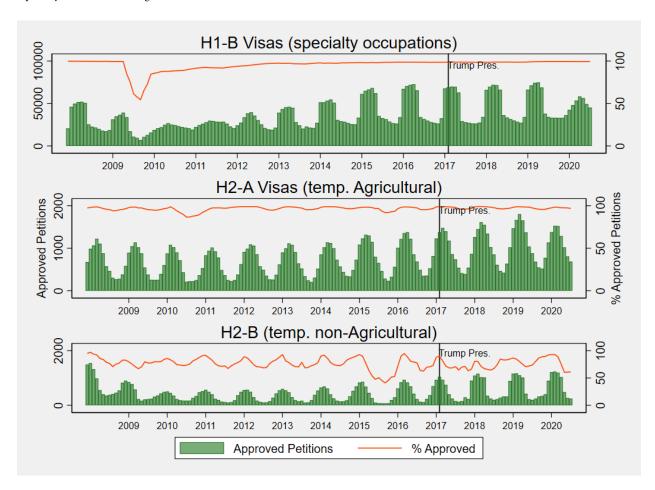


Figure 2: Department of Labor visa petition approvals for H1-B, H2-A, and H2-B visas

The Trump administration tried a variety of ways to reduce the ability of companies to use H-1B visas. In doing so, it faced strong pushback by companies that relied on the program to supply technical talent that is in short supply from American workers.<sup>30</sup> Trump's H-1B efforts also faced substantial push-back in court. For example, the administration tried to substantially increase the required wages of H-1B visa holders. This was designed to make these visas less attractive to firms and to thus redirect them to hire domestic labor. Court

<sup>&</sup>lt;sup>28</sup> This data comes from the Department of Labor. The visa process is complicated and has multiple stages. The Department of Labor statistic on total visas petitions represents the first stage of this process. Data from the U.S. Citizen and Immigration Services and Department of State stages so broadly similar patterns with no substantial drop offs through most of the Trump administration.

 $<sup>^{29}</sup>$  Processing times of petitions by the U.S. Citizenship and Immigration Services (USCIS) did slow substantially during the Trump administration.

<sup>&</sup>lt;sup>30</sup> Grady McGregor, "Big Tech Defends H-1B Visas Against Trump's 'Un-American' Crackdown," *Fortune*, 11 August 2020, https://fortune.com/2020/08/11/trump-h1b-visa-crackdown-big-tech-defense/

challenges led to a string of losses, in part due again to violations of the Administration Procedures Act. <sup>31</sup> Whether the administration can modify policies and processes in a way that will pass legal muster remains to be seen. Even after Trump's election loss, his administration tried to put in place H-1B restrictions that would run into the Biden administration. As of writing, it remains to be seen how the Biden administration will deal with these restrictions. <sup>32</sup>

The Trump administration's approach to the H-2A visa program also sparked resistance from economic interest groups and faced court challenges. At one point, the administration halted a biannual survey of wages with the expectation that this would lead to pay decreases for H-2A holders. This effort was opposed by a range of actors, and faced challenges in court.<sup>33</sup> Supported by agricultural producers, the Trump administration recently took a different tact and simply froze wages.<sup>34</sup> While this can be undone by the Biden administration, it will take time, especially given the competing economic interests at work.

H-2B visas for non-agricultural temporary workers, in fact, grew under the Trump administration (see Figure 2). In 2017, he expanded the program, which was immediately followed by an expanded request from Trump's hotel properties.<sup>35</sup> However, in 2020 the Trump administration both tried to expand the program<sup>36</sup> but also reduce it.<sup>37</sup> As with other visa programs, corporations and organizations like the U.S. Chamber of Commerce have opposed restrictions on H-2B visas.<sup>38</sup>

In the midst of the COVID-19 pandemic, the Trump administration tried to prevent foreign students who were studying at U.S. universities from being able to remain in the U.S. if their schools were not conducting in-person classes. Essentially, their visa status would be revoked if they did not leave the country or transfer to an institution offering in-person classes. Harvard University and MIT initiated a lawsuit, later joined by universities across the country, challenging the rule in federal court. The Trump administration reversed course on the policy, but was presumed to be working to maintain these restrictions towards incoming students. All expectations point to a Biden administration that welcomes foreign students.

<sup>&</sup>lt;sup>31</sup> Stuart Anderson, "Trump Administration Loses A Third H-1B Visa Court Case," *Fortune*, 15 December 2020, <a href="https://www.forbes.com/sites/stuartanderson/2020/12/15/trump-administration-loses-a-third-h-1b-visa-court-case/">https://www.forbes.com/sites/stuartanderson/2020/12/15/trump-administration-loses-a-third-h-1b-visa-court-case/</a>

<sup>&</sup>lt;sup>32</sup> Camilo Montoya-Galvez, "President Trump Extends Immigrant and Work Visa Limits into Biden Presidency," CBS News, 1 January 2021, <a href="https://www.cbsnews.com/news/trump-immigrant-work-visa-limits-extended-biden-presidency/">https://www.cbsnews.com/news/trump-immigrant-work-visa-limits-extended-biden-presidency/</a>

<sup>&</sup>lt;sup>33</sup> Nick Cahill, "Judge Orders Trump Administration to Reinstate Farmworker Wage Survey," *Courthouse News Service*, 28 October 2020, https://www.courthousenews.com/judge-orders-trump-administration-to-reinstate-farmworker-wage-survey/

<sup>&</sup>lt;sup>34</sup> Dan Charles, "Farmworkers Say The Government Is Trying To Cut Their Wages," *National Public Radio*, 11 November 2020, <a href="https://www.npr.org/2020/11/11/929064527/farm-workers-say-the-government-is-trying-to-cut-their-wages">https://www.npr.org/2020/11/11/929064527/farm-workers-say-the-government-is-trying-to-cut-their-wages</a>

<sup>&</sup>lt;sup>35</sup> Alexia Fernandez-Campbell, "Trump Lifted the Cap on H-2B Worker Visas. Then His Businesses Asked for 76 of Them.," Vox, 20 July 2017, https://www.vox.com/policy-and-politics/2017/7/20/16003254/trump-h2b-visa-program

<sup>&</sup>lt;sup>36</sup> Camila DeChalus, "Trump Administration Allows 35,000 More H-2B Seasonal Worker Visas for the Year," *Roll Call*, 5 March 2020, https://www.rollcall.com/2020/03/05/trump-administration-allows-35000-more-h-2b-visas-for-the-year/

<sup>&</sup>lt;sup>37</sup> Julia Ainsley, "Trump Signs Order Freezing Visas for Foreign Workers Through the End of the Year," *NBC News*, 22 June 2020, <a href="https://www.nbcnews.com/politics/immigration/trump-sign-order-freezing-visas-foreign-workers-through-end-year-n1231782">https://www.nbcnews.com/politics/immigration/trump-sign-order-freezing-visas-foreign-workers-through-end-year-n1231782</a>

<sup>&</sup>lt;sup>38</sup> Gillian Friedman, "Companies Criticize Visa Suspensions, but Impact May Be Muted for Now," *The New York Times*, 23 June 2020, https://www.nvtimes.com/2020/06/23/business/economy/visa-suspensions-companies-react.html

Of course, immigration policy does not exist in a vacuum, and powerful international economic forces are important. For example, some suggest that restrictions on H-1B's will simply lead to more off-shoring of work, <sup>39</sup> and recent empirical work supports this view. <sup>40</sup> This trend could even accelerate as firms now have substantial remote work experience due to the COVID-19 disruptions.

#### Border Restrictions and the Wall

Perhaps the most symbolic piece of the Trump administration is "the Wall." Trump repeatedly asserted that Mexico would pay for the wall, which, of course, it did not. Countries, no matter how strong, cannot simply unilaterally compel other countries to do so via a verbal declaration. The audacity of the demand also made capitulation by the target government politically poisonous. Furthermore, Congress introduced substantial barriers to funding the wall, and for much of the Trump administration other fiscal accounts (like military construction and U.S. Treasury forfeiture accounts) were used to fund these efforts. Money for the wall was included in the end of 2020 bi-partisan spending bill. Most of the construction progress has been made in terms of rebuilding or enhancing existing barriers rather than new construction. While the Biden administration has indicated that it will stop construction, the Trump administration continued to award construction contracts even for parts of the wall where private property has not yet been obtained. By and large, while there was more talk than action on the Wall, we expect that Trump will continue to exaggerate his success in this signature effort.

Despite the Wall being largely a flop, the Trump administration was successful in implementing a range of restrictions that targeted migration from Mexico and Central America. These included changes to asylum policies that made it difficult or impossible to qualify, as well as requirements that asylum seekers reside outside of the United States while their cases were heard. The administration also stepped up interior enforcement by the Immigration and Customs Enforcement (ICE) agency. While a number of municipalities pushed back on these interior enforcement efforts, the numbers of non-criminal arrests increased during the Trump administration until the COVID-19 crisis erupted. The Trump administration notoriously pursued deplorable tactics aimed at deterring migration, such as the separation of families.

## Demographics

Immigration will continue to be a hot-button issue that is linked to the rhetoric and policies of various right-wing and populist parties. Whether the looming changes in the demographic makeup of the U.S. will lead the Republican Party to modify its immigration policies remains to be seen. In 2020, regions with a high number of Latino residents characteristically voted for Democratic candidates. However,

<sup>&</sup>lt;sup>39</sup> Maria Abi-Habib and Karan Deep Singh, "Trump Cracks Down on Visas. Indian Firms May Benefit," *The New York Times*, 2 October 2020, <a href="https://www.nytimes.com/2020/10/02/technology/trump-india-hib-visas.html">https://www.nytimes.com/2020/10/02/technology/trump-india-hib-visas.html</a>; Sai Ishwar, "Indian IT firms to gain as U.S. court blocks Trump ban on H1B, work visas," *Business Standard*, 3 October 2020, <a href="https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599">https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599">https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599">https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599">https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599</a> <a href="https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599">https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599</a> <a href="https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599">https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599</a> <a href="https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599">https://www.business-standard.com/article/companies/indian-it-firms-to-gain-as-us-court-blocks-trump-ban-on-h1b-work-visas-120100200599</a> <a href="https://www.business-standard.com/article/companies/indian

<sup>&</sup>lt;sup>40</sup> Britta Glennon, "How Do Restrictions on High-Skilled Immigration Affect Offshoring? Evidence from the H-1B Program," (working paper, National Bureau of Economic Research, 2020), 27538, DOI: <a href="https://doi.org/10.3386/w27538">https://doi.org/10.3386/w27538</a>

<sup>&</sup>lt;sup>41</sup> Spending on the wall using these funds was deemed unconstitutional by a U.S. appeals court; Daisy Nguyen, "Appeals Court: Trump Wrongly Diverted \$2.5 Billion in Military Construction Funds for Border Wall," *Military Times*, 26 June 2020, <a href="https://www.militarytimes.com/news/your-military/2020/06/26/appeals-court-trump-wrongly-diverted-25-billion-in-milcon-funds-for-border-wall/">https://www.militarytimes.com/news/your-military/2020/06/26/appeals-court-trump-wrongly-diverted-25-billion-in-milcon-funds-for-border-wall/</a>

<sup>&</sup>lt;sup>42</sup> William L. Painter and Audrey Singer, *DHS Border Barrier Funding*, Congressional Research Service Report No. R45888 (Washington, D.C.: Congressional Research Service, 2020), <a href="https://crsreports.congress.gov/product/pdf/R/R45888">https://crsreports.congress.gov/product/pdf/R/R45888</a>; Robert Farley, "Trump's Border Wall: Where Does It Stand?," *FactCheck Posts* (blog), *Annenberg Public Policy Center*, 22 December 2020, <a href="https://www.factcheck.org/2020/12/trumps-border-wall-where-does-it-stand/">https://www.cnn.com/2021/01/05/politics/border-wall-trump/index.html</a>

<sup>&</sup>lt;sup>43</sup> Sarah Pierce and Jessica Bolter, *Dismantling and Reconstructing the US Immigration System: A Catalog of Changes Under the Trump Presidency* (Washington, D.C.: Migration Policy Institute, 2020) <a href="https://www.migrationpolicy.org/sites/default/files/publications/MPI\_US\_Immigration-Trump-Presidency-Final.pdf">https://www.migrationpolicy.org/sites/default/files/publications/MPI\_US\_Immigration-Trump-Presidency-Final.pdf</a>

<sup>&</sup>lt;sup>44</sup> Michael D. Shear, "Trump and Aides Drove Family Separation at the Border, Documents Say," *The New York Times*, 14 January 2021, https://www.nytimes.com/2021/01/14/us/politics/trump-family-separation.html

in some of these places such voters swung towards more support for Trump. <sup>45</sup> We suspect both parties will begin to pay more attention to different blocks of Latino voters, whether it be by country of origin (for example, Cuban vs. non-Cuban), gender, religious commitment, or economic status. <sup>46</sup> It is unlikely that this attention will take on the xenophobic hue of Trump's 2016 campaign, as Republicans seem to have learned from the 2018 elections and the enduring popularity of programs like DACA that immigration is less effective as a wedge issue for mobilizing the base and shifting swing state voters. <sup>47</sup> These domestic constraints on Trump-style anti-immigration efforts do not seem likely to go away, especially if the Biden administration succeeds in addressing the economic anxiety that fomented them in the first place. <sup>48</sup>

## Non-military international institutions

For several important international institutions, including the World Trade Organization (WTO), the International Monetary Fund (IMF), the International Criminal Court (ICC), and the World Health Organization (WHO), Trump's efforts at dismantling these multilateral institutions met with domestic and international constraints.

In terms of its engagement with non-military international institutions, the Trump administration was frequently adversarial, though its largest threat - withdrawal from the WTO - never materialized. Even as late as the spring of 2020, some Republican Senators called for full withdrawal. Anticipating the certain failure of such a move and not wanting to force its Senators to take an official stance, the GOP, leveraging its control of the Finance Committee, used parliamentarian maneuvering to scuttle a vote. <sup>49</sup> Even though any serious effort towards a move like initiating withdrawal from the WTO deserves attention, it is worth remembering that the House of Representatives defeated a 2005 measure calling for withdrawal, 86-338, which was only slightly closer than the 2000 withdrawal vote of 56-363. <sup>50</sup>

The Trump administration did, however, succeed in hamstringing the Dispute Settlement Understanding's Appellate Body (AB) in late 2019 by blocking the appointment of any new judges. After several judges stepped down, as scheduled, this left the AB without enough judges to rule. (It is worth remembering that the practice of blocking AB judges began with President Obama.)<sup>51</sup> While this effort put the AB on indefinite hiatus, international constraints have blunted its overall impact. In April of 2020 the European Union and 15 other WTO members formed the multi-party interim appeal arbitration arrangement (MPIA), which functions as a parallel appellate body

<sup>&</sup>lt;sup>45</sup> Weiyi Cai and Ford Fessenden, "Immigrant Neighborhoods Shifted Red as the Country Chose Blue," *The New York Times*, 20 December 2020, https://www.nytimes.com/interactive/2020/12/20/us/politics/election-hispanics-asians-voting.html

<sup>&</sup>lt;sup>46</sup> Holly K. Sonneland, "Chart: How U.S. Latinos Voted in the 2020 Presidential Election," *Americas Society / Council of the Americas*, 5 November 2020, <a href="https://www.as-coa.org/articles/chart-how-us-latinos-voted-2020-presidential-election">https://www.as-coa.org/articles/chart-how-us-latinos-voted-2020-presidential-election</a>; Amelia Thomson-DeVeaux, Geoffrey Skelley, and Laura Bronner, "What We Know About How White and Latino Americans Voted In 2020," *FiveThirtyEight*, 23 November 2020, <a href="https://fivethirtyeight.com/features/what-we-know-about-how-white-and-latino-americans-voted-in-2020/">https://fivethirtyeight.com/features/what-we-know-about-how-white-and-latino-americans-voted-in-2020/</a>

<sup>&</sup>lt;sup>47</sup> Nicole Narea, "Immigration is no Longer a Winning Issue for Trump," Vox, 2 November 2020, <a href="https://www.vox.com/policy-and-politics/21540020/trump-immigration-2020-election">https://www.vox.com/policy-and-politics/21540020/trump-immigration-2020-election</a>

<sup>&</sup>lt;sup>48</sup> Philip Stephens, "Joe Biden Needs an America-First Foreign Policy." Financial Times, 14 January 2021, https://on.ft.com/3shJlu6; Ahmed, Salman, et al. Making U.S. Foreign Policy Work Better for the Middle Class, (Washington, D.C.: Carnegie Endowment for International Peace, 2020) https://carnegieendowment.org/2020/09/23/making-u.s.-foreign-policy-work-better-for-middle-class-pub-82728

<sup>&</sup>lt;sup>49</sup> Doug Palmer, "New Ruling Quashes Hawley's Hope for Senate WTO Withdrawal Vote," *Politico*, 1 July 2020, <a href="https://www.politico.com/news/2020/07/01/ruling-quashes-hawley-hope-senate-wto-withdrawal-347732">https://www.politico.com/news/2020/07/01/ruling-quashes-hawley-hope-senate-wto-withdrawal-347732</a>

 $<sup>^{50}</sup> See vote tallies at \underline{https://www.govtrack.us/congress/votes/109-2005/h239} \ and \underline{https://www.citizen.org/article/final-house-vote-on-2000-wto-withdrawal/}$ 

 $<sup>^{51} \</sup> Keith \ Johnson, "How \ Trump \ May \ Finally \ Kill \ the \ WTO." \ \textit{Foreign Policy}, 9 \ December 2019, \\ \underline{\text{https://foreignpolicy.com/2019/12/09/trump-may-kill-wto-finally-appellate-body-world-trade-organization/}$ 

among its members.<sup>52</sup> The U.S. blocked a popular candidate for Secretary General of the WTO, though the Biden administration has already given way and Dr. Okonjo-Iweala will soon be appointed.<sup>53</sup>

Given candidate Trump's antipathy towards international economic institutions, the IMF seemed a likely target for Trump's ire. In the early years of the Trump administration, the leadership of both the IMF and the World Bank took a quiet tack, avoiding anything that might provoke the Trump administration into a confrontation.<sup>54</sup> From 2018 and through the pandemic of 2020, the Trump administration's record with respect to the IMF is mixed. When the pandemic hit in 2020, the U.S. Congress approved increases in IMF funding as part of the CARES Act.<sup>55</sup> As a result, many of those in the foreign policy elite and IMF member governments called for a tremendous expansion in the IMF's Special Drawing Rights, which allow governments to access a fund of "synthetic" currencies. The Trump administration blocked this effort because most of these funds would have been made available to countries outside of the low-income brackets, which did not need them.<sup>56</sup> The Administration also opposed funding that would eventually go to Iran and Venezuela.

The constraints of the international system appear to have been the biggest check on Trump's potential antagonism towards the IMF. Its president, Christine Lagarde, mused in 2017 that she could imagine IMF headquarters moving to Beijing by 2027, with the implication that China was waiting in the wings if the United States should significantly withdraw from the IMF. <sup>57</sup> The United States also controls a 16.5% voting share at the IMF. Since decisions require approval from 85% of voting shares, the United States holds a *de facto* veto over many IMF decisions. The IMF also likely avoided substantial Trump ire since, as we originally argued, its rules are set up to heavily favor U.S. interests already.

With respect to the International Criminal Court (ICC), Trump has taken unprecedented, antagonistic steps. While the Obama Administration's approach to the ICC included tacit support and even behind-the-scenes assistance, Trump's approach has been a scorched-earth one. In 2019, the U.S. denied the ICC Chief Prosecutor, Fatou Bensouda, a U.S. visa, though this was largely symbolic since she could still visit and address the UN General Assembly. In 2020, however, the U.S. placed Bensouda and another ICC official on a State Department sanctions list previously reserved for terrorists and narco-traffickers. The sanctions were harsh, resulting in the freezing of the targets' bank accounts and credit cards, and the move was globally criticized and amounted to a naked use of power to antagonize the Court. The U.S. also withdrew from the UN Human Rights Council. Neither domestic opposition nor international responses prevented these actions. The U.S. courts, however, issued an injunction against Trump's executive order on the grounds that it limited free speech. The Trump Administration had to respond to the injunction on the day before Biden's inauguration, and Biden is

<sup>&</sup>lt;sup>52</sup> European Commission, "Interim Appeal Arrangement for WTO Disputes Becomes Effective," 30 April 2020, https://trade.ec.europa.eu/doclib/press/index.cfm?id=2143

 $<sup>^{53}</sup>$  Niv Elis, "Biden Clears Way for New WTO Director Following Trump Block," The Hill, 5 February 2021,  $\frac{1}{1000} \frac{1}{1000} \frac{1}{1000$ 

<sup>&</sup>lt;sup>54</sup> Stewart M. Patrick, "Trump, the World Bank, and the IMF: Explaining the Dog that Didn't Bark (Yet)," *The Internationalist* (blog), *Council on Foreign Relations*, 11 October 2017, https://www.cfr.org/blog/trump-world-bank-and-imf-explaining-dog-didnt-bark-yet

 $<sup>^{55} \,</sup> Steven \, T. \, Mnuchin, "U.S. \, Treasury \, Secretary \, Steven \, T. \, Mnuchin's \, Joint \, IMFC \, and \, Development \, Committee \, Statement," \, (press \, release) \, (Washington, D.C.: Department of the Treasury, 2020), <a href="https://home.treasury.gov/news/press-releases/sm982">https://home.treasury.gov/news/press-releases/sm982</a>$ 

<sup>&</sup>lt;sup>56</sup> Adam Tooze, "A Global Pandemic Bailout Was Coming—Until America Stopped It," *Foreign Policy*, 17 April 2020, <a href="https://foreignpolicy.com/2020/04/17/global-pandemic-bailout-imf-world-bank-meetings-america-sdrs/">https://foreignpolicy.com/2020/04/17/global-pandemic-bailout-imf-world-bank-meetings-america-sdrs/</a>

<sup>&</sup>lt;sup>57</sup> Avantika Chilkoti, "International Monetary Fund Based in Beijing? Maybe, Its Director Says," *The New York Times*, 24 July 2017, https://www.nytimes.com/2017/07/24/us/politics/christine-lagarde-international-monetary-fund.html

<sup>&</sup>lt;sup>58</sup> Kelebogile Zvobgo and Stephen Chaudoin, "Despite U.S. Sanctions, the International Criminal Court Will Keep Investigating Alleged War Crimes in Afghanistan," *Monkey Cage* (blog), *The Washington Post*, 16 June 2020, <a href="https://www.washingtonpost.com/politics/2020/06/16/despite-us-sanctions-international-criminal-court-will-keep-investigating-alleged-war-crimes-afghanistan/">https://www.washingtonpost.com/politics/2020/06/16/despite-us-sanctions-international-criminal-court-will-keep-investigating-alleged-war-crimes-afghanistan/</a>

expected to rescind the order or let the injunction stand. However, his administration had not made any official decisions on this at the time of our writing. <sup>59</sup>

Trump took several strong steps to sanction China for its human rights abuses, sanctioning several companies and individuals for their participation in oppressing Uighurs in Xinjiang Province. The U.S. also revoked Hong Kong's "special status," which is a move designed to counter Chinese crackdowns on democracy. Both moves originated in Congress, where domestic constraints forced the President to at least take action on these egregious human rights violations. The sanctions on abuses in Xinjiang originated from a House bill that passed 413-1; the Hong Kong actions originated from a Senate bill passed by unanimous consent. <sup>60</sup>

With regards to the World Health Organization and global health in general, the Trump Administration initially took antagonistic steps but then backed down. In early 2018, the Trump Administration surprised global health officials by recommending that Congress cut funding for Ebola preparedness and prevention, even as the disease was showing signs of resurgence. Shortly thereafter, Trump rescinded the budget cuts, obviating the need for Congress to decide on whether to keep the funding. <sup>61</sup> The Administration had a brief spat with the WHO over breastfeeding recommendations, which Trump eventually denied starting and did not pursue. <sup>62</sup>

COVID-19 triggered the largest battle between Trump and the WHO, as Trump accused the WHO of coddling the Chinese and shielding them from scrutiny about the origins of the virus. He suspended funding to the Organization, issued a lengthy list of demands, and then promptly announced plans for the U.S. to withdraw. Here, the United States Congress - albeit the 1948 Congress - provided an unexpected check on Trump's efforts. That year, both chambers passed a resolution requiring the U.S. to have a one-year waiting period before withdrawing from the WHO and to pay any outstanding funding promises. Under President Biden the US will be a part of the WHO.

## U.S. Security, NATO, and Other military-oriented institutions

#### NATO

Trump campaigned on the obsolescence of the Atlantic alliance and the failure of European countries to pay their fair share. He openly questioned whether the United States would honor its collective defense obligations. As president he continued this grumbling, but with less intensity over time. By the end of 2020, the complaints had largely died down, as both the United States and Europe *increased* their monetary contributions to NATO.

<sup>&</sup>lt;sup>59</sup> Andrew Boyle, "ICC Associates Win Temporary Reprieve from Draconian U.S. Sanctions," *Just Security*, 5 January 2021, https://www.justsecurity.org/74073/icc-associates-win-temporary-reprieve-from-draconian-us-sanctions/

<sup>&</sup>lt;sup>60</sup> Trump also approved some sanctions under the Magnitsky Act in response to Russian and Chechen human rights violations.

<sup>&</sup>lt;sup>61</sup> K. Riva Levinson, "By Reversing Course on Ebola Funding, Trump Brings Compromise," *The Hill,* 11 June 2018, https://thehill.com/opinion/international/391644-by-reversing-course-on-ebola-funding-trump-brings-compromise

<sup>&</sup>lt;sup>63</sup> Matt Apuzzo, Noah Weiland and Selam Gebrekidan, "Trump Gave W.H.O. a List of Demands. Hours Later, He Walked Away," *The New York Times*, 27 November 2020, <a href="https://www.nytimes.com/2020/11/27/world/europe/trump-who-tedros-china-virus.html">https://www.nytimes.com/2020/11/27/world/europe/trump-who-tedros-china-virus.html</a>

<sup>&</sup>lt;sup>64</sup> Bill Chappell, "U.S. Will Remain in WHO, Fauci Announces, As Biden Reverses Trump Move," NPR, 21 January 2021, https://www.npr.org/sections/coronavirus-live-updates/2021/01/21/959142553/u-s-will-remain-in-who-fauci-announces-as-biden-reverses-trump-move

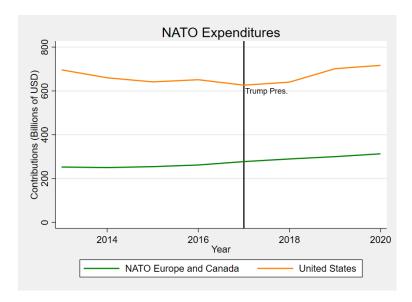


Figure 3: NATO Expenditures for the U.S. and Allies, 2013 - 2020

Figure 3 shows the contributions to NATO in billions of U.S. dollars from the United States (in blue) and European countries plus Canada (in red). The vertical line marks 2017, the first year of the Trump administration. The United States reversed a five-year downward trend in NATO contributions and its allies continued a steady increase that began at the end of the Obama administration. As Charles Kupchan notes, "NATO at 70 is actually in remarkably good shape." 65

Both domestic political constraints and the international system explain why none of the worst threats against NATO under Trump materialized. On the domestic side, "defenders of the alliance [came] out of the woodwork, especially in the U.S. Congress," again according to Kupchan. Writing in 2019, Kupchan provides myriad examples of how domestic political actors recognized and defended the value of NATO, constraining President Trump's worst impulses.

There [was] virtually no support—in his own administration, among the American public, or in Congress— for taking a wrecking ball to NATO. Even as Trump cycles through foreign policy advisers of various ideological persuasions, they are all competent enough to understand the abiding strategic value of NATO. The electorate similarly knows better than Trump. ...

Congress, though currently a wasteland when it comes to cooperation across the aisle, has responded to Trump's NATO-phobia by becoming a bipartisan cheerleading squad for the alliance. <sup>66</sup>

On the international side, the value of the alliance and the danger it counters provided constraints on any meaningful pullbacks from NATO. The presence of Russia as a strategic rival made it clear what would happen if the U.S. and Europe weakened their commitments. Only a few years removed from the Russian invasion of Ukraine, it was abundantly clear to all that Russia would happily step into any void left by the United States. Defense spending among NATO allies naturally increased as "they [reassessed] their presumption that Western Europe is safe from outside threats." Quarrels over burden-sharing within NATO have been commonplace throughout its history, and will likely continue. As we argued in our original piece, "the Trump administration ... [found] it in their own interests to maintain many

<sup>&</sup>lt;sup>65</sup> Charles Kupchan, "NATO Is Thriving in Spite of Trump," Foreign Affairs, 20 March 2019, https://www.foreignaffairs.com/articles/2019-03-20/nato-thriving-spite-trump

<sup>&</sup>lt;sup>66</sup> Charles Kupchan, "NATO Is Thriving in Spite of Trump," Foreign Affairs 20 March 2019, <a href="https://www.foreignaffairs.com/articles/2019-03-20/nato-thriving-spite-trump">https://www.foreignaffairs.com/articles/2019-03-20/nato-thriving-spite-trump</a>.

<sup>&</sup>lt;sup>67</sup> John Dowdy, "More Tooth, Less Tail: Getting Beyond NATO's 2 Percent Rule," In Nicholas Burns, Leah Bitounis, and Jonathon Price, eds., The World Turned Upside Down: Maintaining American Leadership in a Dangerous Age, (Washington, D.C.: The Aspen Institute, 2017), 151-166.

existing elements of us foreign policy," a sentiment echoed again by Kupchan: "NATO is entering its eighth decade in quite good health because it succeeds admirably in advancing the shared interests of its members."

## U.S. Military Deployments

Two years into his administration, in his 2019 State of the Union speech, Trump claimed that he would be proactive in bringing troops back to the United States. As one commentator put it, "But after nearly three years in office, Trump's promised retrenchment has yet to materialize. The president hasn't meaningfully altered the U.S. global military footprint he inherited from President Barack Obama." 68

Figure 4 plots the percentage of active duty personnel deployed within the United States using data from the Defense Manpower Data Center. Starting in December of 2017, this excludes all personnel deployed in Syria, Iraq, and Afghanistan because the Trump administration stopped reporting deployments for Syria, Iraq, and Afghanistan in December 2017. So while total overseas deployments dropped from around 198,000 active duty personnel at the end of the Obama administration to around 174,000 in 2019, these numbers reflect an accounting trick rather than a new strategic direction. Some reporting suggests only minor changes in deployments to these countries, <sup>69</sup> and a pending lawsuit seeks the restoration of this data. <sup>70</sup> Nonetheless, Figure 4 shows that the percentage serving in the U.S. has remained largely flat, and it becomes even more flat if one factors in deployments in Afghanistan, Iraq, and Syria. <sup>71</sup> The number of contractors working in these areas has also not been decreased during the Trump administration. <sup>72</sup>

<sup>&</sup>lt;sup>68</sup> Paul K. MacDonald and Joseph M. Parent, "Trump Didn't Shrink U.S. Military Commitments Abroad—He Expanded Them," *Foreign Affairs*, 3 December 2019, <a href="https://www.foreignaffairs.com/articles/2019-12-03/trump-didnt-shrink-us-military-commitments-abroad-he-expanded-them">https://www.foreignaffairs.com/articles/2019-12-03/trump-didnt-shrink-us-military-commitments-abroad-he-expanded-them</a>

<sup>&</sup>lt;sup>69</sup> Thomas Gibbons-Neff and Eric Schmitt, "Despite Vow to End 'Endless Wars,' Here's Where About 200,000 Troops Remain," *The New York Times*, 21 October 2019, <a href="https://www.nytimes.com/2019/10/21/world/middleeast/us-troops-deployments.html">https://www.nytimes.com/2019/10/21/world/middleeast/us-troops-deployments.html</a>

<sup>&</sup>lt;sup>70</sup> Kate Brannen and Ryan Goodman, "We're Suing the Pentagon to Find Out Where U.S. Troops are Deployed," *PostEverything* (blog), *The New York Times*, 7 October 2020, <a href="https://www.washingtonpost.com/outlook/2020/10/07/were-suing-pentagon-find-out-where-us-troops-are-deployed/">https://www.washingtonpost.com/outlook/2020/10/07/were-suing-pentagon-find-out-where-us-troops-are-deployed/</a>

<sup>71</sup> Another contentious region has been East Africa. Here Trump administration efforts to cut U.S. presence has faced Congressional push back (Robbie Gramer, "U.S. Congress Moves to Restrain Pentagon Over Africa Drawdown Plans," *Foreign Policy*, 4 March 2020, <a href="https://foreignpolicy.com/2020/03/04/africa-military-trump-esper-pentagon-congress-africom-counterterrorism-sahel-great-power-competition/">https://foreignpolicy.com/2020/03/04/africa-military-trump-esper-pentagon-congress-africom-counterterrorism-sahel-great-power-competition/</a>) and many (though not all) changes have been within region redeployments (Kyle Rempfer, "U.S. Forces Pack Up in Somalia For Elsewhere in East Africa," *Army Times*, 21 December 2020, <a href="https://www.armytimes.com/news/your-army/2020/12/21/us-forces-pack-up-in-somalia-for-elsewhere-in-east-africa/">https://www.armytimes.com/news/your-army/2020/12/21/us-forces-pack-up-in-somalia-for-elsewhere-in-east-africa/</a>).

<sup>&</sup>lt;sup>72</sup> Department of Defense, Contractor Support of U.S. Operations in the U.S.CENTCOM Area of Responsibility (Washington, D.C.: Department of Defense, 2020), https://www.acq.osd.mil/log/ps/.CENTCOM\_reports.html/FY20\_4O\_5A\_Oct2020.pdf

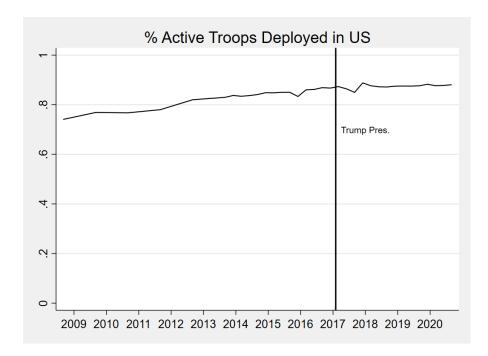


Figure 4: Percentage of active military troops stationed within the United States. Note, beginning in December 2017, deployments to Afghanistan, Iraq, and Syria not included in calculation. Including estimates for these cases decreases the percentage deployed in looking at civilian Department of Defense employees.

Nor has Trump shifted the costly burden of defending U.S. allies. To the contrary, he loaded even greater military responsibilities on the United States while either ramping up or maintaining U.S. involvement in the conflicts in Afghanistan, Syria, and elsewhere." These claims to "bring back the troops" extended back to his 2016 campaign. Trump also claimed that he would invest more in the military after the Obama administration had decimated spending. Unsurprisingly, the truth is that neither had the Obama White House decimated funding for the military nor was Trump able to increase spending. To Several additional patterns warrant discussion.

First, Trump's whiplash approach to drawing down troops and then reversing his decision characterized most of his administration's tenure. In both Syria and Afghanistan, Trump made sudden announcements of withdrawal, only in fact to later reverse those decisions. On top of this were new commitments due to emerging threats from countries like Iran. And here too we saw a back and forth, with carrier forces being brought home one day and then days later a reversal of that policy due at least in part to changing threat assessments. Rather than adopting an anti-liberal internationalist strategy, Trump in this domain adopted little in the way of a strategy at all.

Third, Trump's efforts have been repeatedly stymied by bipartisan Congressional opposition to dramatic changes. Historically, Congress has often tried to prevent deployments and to bring troops home. But under the Trump administration the opposite has been the case.

<sup>&</sup>lt;sup>73</sup> Paul K. MacDonald and Joseph M. Parent, "Trump Didn't Shrink U.S. Military Commitments Abroad—He Expanded Them," *Foreign Affairs*, 3 December 2019, https://www.foreignaffairs.com/articles/2019-12-03/trump-didnt-shrink-us-military-commitments-abroad-he-expanded-them

<sup>&</sup>lt;sup>74</sup> Yochi Dreazen, "Candidate Trump Promised to Stay Out of Foreign Wars. President Trump is Escalating Them," Vox, 25 August 2017, https://www.vox.com/world/2017/8/25/16185936/trump-america-first-afghanistan-war-troops-iraq-generals

<sup>&</sup>lt;sup>75</sup> Christopher Giles, "U.S. Election 2020: Has Trump Kept His Promises on the Military?" *BBC Reality Check* (blog), *BBC News*, 16 October 2020, <a href="https://www.bbc.com/news/election-us-2020-54060026">https://www.bbc.com/news/election-us-2020-54060026</a>; Stockholm International Peace Research Institute Military Expenditure Database, <a href="https://www.sipri.org/databases/milex">https://www.sipri.org/databases/milex</a>

<sup>&</sup>lt;sup>76</sup> Sam LaGrone, "Pentagon: Carrier U.S.S Nimitz Will Stay in Middle East After Threats from Iran," *U.S.NI News*, 3 January 2021, https://news.usni.org/2021/01/03/pentagon-carrier-uss-nimitz-will-stay-in-middle-east-after-threats-from-iran

Congress used a number of legislative vehicles, including mandating that such efforts be certified as not negatively impacting U.S. national security. Coupled with little in the way of a Trump administration strategy and a lack of interagency coordination, these efforts hobbled the president.<sup>77</sup>

Arms Control

In the area of arms control, the Trump administration made no progress on arms control and withdrew from several important agreements. Immediately after winning the 2016 election, President-elect Trump touted the benefits of an expanded U.S. nuclear arsenal and his comfort with a renewed arms race. In 2020 Trump withdrew from the Intermediate Range Nuclear Forces (INF) Treaty in 2019 and the Open Skies Treaty, both of which were designed to reduce tensions between the U.S. and Russia. The former limits shorter range nuclear force numbers and the latter ensured that both countries had surveillance fly-over rights to assess military buildups by the other side. Trump failed to negotiate an extension to the New START treaty, though Biden and Russian President Vladimir Putin have already agreed, in principle, to its extension.

Neither domestic nor international constraints prevented Trump from making these moves. They likely failed to affect Trump's decision making because of the United States' belief that Russia had already committed frequent violations of the INF and Open Skies treaties. 80 U.S. skepticism about Russian compliance with the agreements was bipartisan; the U.S., under the Obama administration, had accused Russia of violating its arms control obligations. 81

In its relations with North Korea, the Trump administration aimed unreasonably high, demanding denuclearization, and ultimately fell short. Some of Trump's actions raised the possibility of progress. His "fire and fury" bluster - for all of its fear-inducing rhetoric - preceded the 2019 Hanoi Summit, a meeting that had potential to yield results. But ultimately, Kim Jong-un made unacceptably large demands of Trump and the summit yielded no results. <sup>82</sup> In terms of liberal internationalism, Biden has inherited a North Korean situation similar to that faced by Trump: an unclear path forward for halting or rolling back North Korean proliferation, addressing the regime's egregious human rights situation, or integrating it into the world economy.

In 2018, Trump unilaterally left the Joint Comprehensive Plan of Action (JCPOA) between the U.S., Europe, and Iran. Here, too, neither domestic nor international constraints prevented Trump from taking this action. On the domestic side, the agreement faced significant Republican opposition even at its origin under the Obama Administration. Some administration officials, like Secretary of State Rex Tillerson and national security adviser HR McMaster, advocated for staying in the deal, but international constraints blunted the effectiveness of the U.S. withdrawal. Trump hoped that EU leaders would follow suit and join the U.S. in forcing Iran back to the negotiating table to accept a worse deal. Instead, they remained in the deal and declined to re-impose sanctions. Since the U.S.

<sup>&</sup>lt;sup>77</sup> Katie Bo Williams, "To Block Trump's Troop Withdrawals, Congress Turns An Old Tactic Upside Down," *Defense One*, 14 July 2020, <a href="https://www.defenseone.com/policy/2020/07/unconventional-tactic-becomes-congresss-go-weapon-against-troop-withdrawal/166880/">https://www.defenseone.com/policy/2020/07/unconventional-tactic-becomes-congresss-go-weapon-against-troop-withdrawal/166880/</a>

<sup>&</sup>lt;sup>78</sup> Michael D. Shear and David E. Sanger, "Trump Says U.S. Would 'Outmatch' Rivals in a New Nuclear Arms Race" *The New York Times* 23 December 2016, https://www.nytimes.com/2016/12/23/us/politics/trump-nuclear-arms-race-russia-united-states.html

<sup>&</sup>lt;sup>79</sup> Brittney Washington, "Why 'New START' Nuclear Treaty Split Biden From Trump," *Washington Post*, 29 January 2021, <a href="https://www.washingtonpost.com/business/why-new-start-nuclear-treaty-split-biden-from-trump/2021/01/28/d69ea40a-612e-11eb-a177-7765f29a9524\_story.html">https://www.washingtonpost.com/business/why-new-start-nuclear-treaty-split-biden-from-trump/2021/01/28/d69ea40a-612e-11eb-a177-7765f29a9524\_story.html</a>

<sup>&</sup>lt;sup>80</sup> Department of Defense, 2018 Nuclear Posture Review Final Report (Washington, D.C.: Department of Defense, 2018), https://media.defense.gov/2018/Feb/02/2001872886/-1/-1/1/2018-NUCLEAR-POSTURE-REVIEW-FINAL-REPORT.PDF

<sup>&</sup>lt;sup>81</sup> David E. Sanger and William J. Broad, "U.S. to Tell Russia It Is Leaving Landmark I.N.F. Treaty," *The New York Times*, 19 October 2018, https://www.nytimes.com/2018/10/19/us/politics/russia-nuclear-arms-treaty-trump-administration.html

<sup>&</sup>lt;sup>82</sup> Alex Ward, "What Trump Got Right — and Wrong — with North Korea, Explained by a Former Intel Official," Vox, 14 October 2020, https://www.vox.com/21515145/north-korea-trump-usa-nuclear-war-interview

<sup>83</sup> Bryan Naylor and Ayesha Rascoe, "Trump: U.S. 'Will Withdraw' From Iran Nuclear Deal," *National Public Radio*, 8 May 2018, https://www.npr.org/2018/05/08/609383603/trump-u-s-will-withdraw-from-iran-nuclear-deal

withdrawal, Iran has violated the terms of the agreement. The European members triggered the agreement's dispute settlement provisions over the violations, but as of late 2020, Europe had not re-imposed sanctions. In an ideal world, Trump would have correctly anticipated the likelihood that unilateral withdrawal would only leave the U.S. isolated after the original JCPOA participants continued the deal. The power of U.S. secondary sanctions helped Trump retain a great deal of influence over Europe with respect to Iran, which likely helped incline him toward unilateral action. The path forward for the Biden administration remains unclear, as domestic politics in Iran could potentially take a more hardline, anti-U.S. turn. 55

## Climate Change

In late 2016 we argued that Trump would be no advocate for climate related issues, but that his efforts would be limited by a variety of forces. We argued that green-related investment and job opportunities would continue to grow, that some state and local governments would push back against federal efforts to block or unwind climate policies, and that international constraints (for example, other countries enforcing the Paris agreement, or other countries gaining an advantage in green technologies) would remain relevant. As expected, Trump was no friend of the environment and pursued a number of policies that had negative impacts. Even so, the constraints we identified were present and important.

## Green job growth

Despite Trump's desires, employment, production, and revenue from U.S. coal production continued its decline during his administration, and employment in revenue in green related jobs grew. Ref The Bureau of Labor Statistics projects that, as of 2019, wind turbine technicians will be the fastest job category growth area in the country. This, of course, overlooks whether growth in these areas would have been higher without a Trump administration. Indeed, some have argued that Trump's tariffs on solar panels as part of his China trade war have constrained solar installation growth. Reedless to say, all indications point to a substantial focus by the Biden administration on accelerating the green economy.

Of course, Trump's efforts to roll-back environmental regulatory frameworks were substantial and often linked to an argument that these rollbacks will create jobs of their own. 89 How much the Biden administration can do to reverse these changes will depend on a number of

<sup>84 &</sup>quot;European Commission Reassures Iran of Commitment to Nuclear Deal," World Nuclear News, 23 October 2020, https://www.world-nuclear-news.org/Articles/European-Commission-reassures-Iran-of-commitment-t

<sup>&</sup>lt;sup>85</sup> Patrick Wintour, "EU Foreign Ministers Pave Way for Revival of Iran Nuclear Deal," *The Guardian*, 21 December 2020, <a href="https://www.theguardian.com/world/2020/dec/21/eu-foreign-ministers-pave-way-for-revival-of-iran-nuclear-deal">https://www.theguardian.com/world/2020/dec/21/eu-foreign-ministers-pave-way-for-revival-of-iran-nuclear-deal</a>

<sup>&</sup>lt;sup>86</sup> U.S. Energy Information Administration, *Weekly Coal Production*, (Energy Information Administration, Washington, D.C., 2021) https://www.eia.gov/coal/production/weekly/; E2, *Clean Jobs America* 2020, (Washington, D.C.: E2, 2020), https://e2.org/reports/clean-jobs-america-2020/, Lucien Georgeson and Mark Maslin, "Estimating the Scale of the U.S. Green Economy Within the Global Context," *Palgrave Communications* 5 (October 2019), DOI: https://doi.org/10.1057/s41599-019-0329-3

<sup>&</sup>lt;sup>87</sup> Bureau of Labor Statistics, Occupational Outlook Handbook - Fastest Growing Occupations, (Washington, D.C.: Bureau of Labor Statistics, 2020), <a href="https://www.bls.gov/ooh/fastest-growing.htm">https://www.bls.gov/ooh/fastest-growing.htm</a>

<sup>&</sup>lt;sup>88</sup> Nichola Groom, "U.S. Solar Takes Hit From Trump Tariffs but is Cheaper Than Ever: Report," *Reuters*, 13 December 2018, <a href="https://www.reuters.com/article/us-usa-solar/u-s-solar-takes-hit-from-trump-tariffs-but-is-cheaper-than-ever-report-idU.S.KBN1OC0CX">https://www.reuters.com/article/us-usa-solar/u-s-solar-takes-hit-from-trump-tariffs-but-is-cheaper-than-ever-report-idU.S.KBN1OC0CX</a>; The Solar Foundation, 10<sup>th</sup> *Annual National Solar Jobs Census 2019* (Washington, D.C.: The Solar Foundation, 2020), <a href="https://www.thesolarfoundation.org/national/">https://www.thesolarfoundation.org/national/</a>

<sup>&</sup>lt;sup>89</sup> Juliet Eilperin, Brady Dennis and John Muyskens, "Trump Rolled Back More Than 125 Environmental Safeguards. Here's How," *The Washington Post*, 30 October 2020, <a href="https://www.washingtonpost.com/graphics/2020/climate-environment/trump-climate-environment-protections/;">https://www.brookings.edu/interactives/tracking-deregulation-in-the-trump-era/</a>

Harvard Environmental and Energy Law Program, "Regulatory Rollback Tracker," 17 February 2021, <a href="https://eelp.law.harvard.edu/regulatory-rollback-tracker/">https://eelp.law.harvard.edu/regulatory-rollback-tracker/</a>

factors, including procedural constraints around new rule-making/changes to previous rules. The January 2021 striking down of the Trump administration's Affordable Clean Energy rule by a Federal Appeals court will make it easier for the Biden administration to pursue climate-friendly policies. Politically, an important question will be whether changes pursued by the Biden administration will help produce green jobs.

## Pushback by state and local government

States and local municipalities around the country have pushed back against the Trump administration's climate policies both by challenging his policies in court, but also by passing their own environmental policies and commitments. California is at the front of these actions, but in many cases has been joined by other states. After Trump revoked California's right to set emissions standards for vehicles, it was joined by 22 states and several large cities in a lawsuit against the National Highway Traffic Safety Administration. Its battle against Trump's revocation of Clean Air Act waivers (which enable California to adopt more stringent rules) will be determined during the Biden administration. It seems unlikely that Trump's policies will remain in place.

Some of this pushback has been aided by large firms. For example, Ford agreed to work with California and push for higher mileage standards. General Motors originally signed on to support the Trump administration lawsuit challenging California's setting of higher mileage standards, but subsequently withdrew following Trump's election loss.<sup>90</sup>

In reaction to Trump's decision to pull the United States from the Paris Agreement, mayors and governors throughout the U.S. came together under the banner "We are still in." Along with other more formalized efforts like the C40, a networking initiative where 97 cities representing  $1/12^{th}$  of the world's population strategize and collaborate on climate change policies, sub-national political actors remain highly involved in the climate change space. Some argue that the incoming Biden administration will be able to leverage this more local mobilization to great effect. Here we see an example of domestic constraints that extend well beyond Congress.

## International Constraints

As mentioned, on June 1st 2017, Trump announced that the United States would be leaving the Paris Agreement. Due to the rules of the agreement, the formal withdrawal took place the day after the U.S. election where Trump lost his bid for re-election. Biden recommitted the U.S. to the Agreement shortly after taking office. <sup>93</sup> Trump's decision to withdraw from Paris was not met with an unwinding of the agreement, or with the exit of other countries or a revising down of their voluntary pledges. Some countries have even started to increase their goals. Given the voluntary nature of the agreement, with minimal monitoring and reporting processes, details on exactly how these countries will meet their goals remains less clear. In addition to sustained efforts by other countries, and state and local efforts discussed above, transnational actors continue to play an important role as well. <sup>94</sup>

<sup>&</sup>lt;sup>90</sup> Michael Wayland, "GM Withdraws Support for Trump's Lawsuit Against California Over Emissions," *CNBC*, 23 November 2020, <a href="https://www.cnbc.com/2020/11/23/gm-withdraws-support-for-trumps-emissions-lawsuit-against-california-html">https://www.cnbc.com/2020/11/23/gm-withdraws-support-for-trumps-emissions-lawsuit-against-california-html</a>; Rebecca Beitsch, "Ford Pushes Automakers to Abandon Trump in Suit Challenging California Emissions Standards," *The Hill*, 1 December 2020, <a href="https://thehill.com/policy/energy-environment/528157-ford-pushes-automakers-to-abandon-trump-in-suit-challenging">https://thehill.com/policy/energy-environment/528157-ford-pushes-automakers-to-abandon-trump-in-suit-challenging">https://thehill.com/policy/energy-environment/528157-ford-pushes-automakers-to-abandon-trump-in-suit-challenging</a>

<sup>&</sup>lt;sup>91</sup> Nathan Hultman and Paul Bodnar, "Trump Tried to Kill the Paris Agreement, but the Effect Has Been the Opposite," *PlanetPolicy* (blog), *Brookings Institution*, 1 June 2018, <a href="https://www.brookings.edu/blog/planetpolicy/2018/06/01/trump-tried-to-kill-the-paris-agreement-but-the-effect-has-been-the-opposite/">https://www.brookings.edu/blog/planetpolicy/2018/06/01/trump-tried-to-kill-the-paris-agreement-but-the-effect-has-been-the-opposite/</a>

<sup>&</sup>lt;sup>92</sup> Thomas Hale and Nathan Hultman, 'All In' Climate Diplomacy: How a Biden-Harris Administration Can Leverage City, State, Business, and Community Climate Action, Global Working Paper 147 (Washington, D.C.: Brookings Institution, 2020), <a href="https://www.brookings.edu/research/all-in-climate-diplomacy-how-a-biden-harris-administration-can-leverage-city-state-business-and-community-climate-action/">https://www.brookings.edu/research/all-in-climate-diplomacy-how-a-biden-harris-administration-can-leverage-city-state-business-and-community-climate-action/</a>

<sup>&</sup>lt;sup>93</sup> Coral Davenport and Lisa Friedman, "Biden Cancels Keystone XL Pipeline and Rejoins Paris Climate Agreement," *The New York Times*, 20 January 2021, https://www.nytimes.com/2021/01/20/climate/biden-paris-climate-agreement.html

<sup>&</sup>lt;sup>94</sup> Thomas Hale, "Transnational Actors and Transnational Governance in Environmental Politics," *Annual Review of Political Science*, 23 (May 2020): 203-220, DOI: <a href="https://doi.org/10.1146/annurev-polisci-050718-032644">https://doi.org/10.1146/annurev-polisci-050718-032644</a>

The extent to which achieving climate goals will be linked to other policy areas, like trade <sup>95</sup> is an important factor. The European Union set its sights on a border adjustment mechanism that would essentially tax the carbon content of goods imported into the EU. The goal is to have these in place by June 2021, and public consultations were conducted throughout 2020. <sup>96</sup> How the WTO will evaluate policies like these, which would have large consequences for the U.S., remains to be seen. It would seem that the WTO could play a valuable role for many parties in helping to put in place an efficient and principled way of implementing such adjustments, especially if other countries beyond the EU begin to put them in place. <sup>97</sup> Multilateral cooperation on these carbon taxes would be preferable to the unilateral adoption of multiple conflicting policies.

#### The Future

Trump's claims to lead an 'America First' foreign policy and the policy outcomes from his administration were not consistent. While he was, by and large, unable to change U.S. foreign policy in terms of resources and policies, the tenor of his administration differed radically from that of previous ones and was often poisonous to American interests. In terms of foreign aid, Trump's calls for radical reductions were not heeded. And he was unable to redirect aid to different countries and tasks. He did not destroy or downgrade the World Bank or IMF, whose goals are to help developing countries by providing expertise and aid. In these cases, Congress, the foreign policy bureaucracy, and interest groups seem to have constrained him. <sup>98</sup> In terms of trade, he was able to launch a trade war with China and other countries using tariffs and unilateral measures. We expected him to be more constrained in this area by Congress, interest groups, and foreign retaliation. His administration has hamstrung the WTO badly. The problem is that these actions have left the U.S. and its trading partners worse off, as trade wars do.

In terms of immigration, Trump decried and tried to stop most of it. But our data suggest that he was often stymied by Congress, interest groups, and, most unexpectedly, the courts. Similarly, he denounced NATO time and again. But Congress, the U.S. foreign policy bureaucracy, and the military prevented any further degradation of U.S. involvement; importantly, the government for decades has complained about burden sharing and so this is nothing new and will continue. Trump also demanded redeployment of American troops back to the U.S., but once more he was outmaneuvered by Congress and the foreign policy establishment, as well as by international pressures for U.S. engagement. And finally, on climate change and the environment, his administration weakened many environmental policies and regulations at home and he did pull the United States out of the Paris accord. But local governments, business firms, and international pressures have kept these issues alive and it seems likely the U.S. will rejoin the Paris agreement in 2021.

As Jervis noted in his 2018 essay forecasting Trump's foreign policy, 99 Trump's election offered a great opportunity to test IR theories. One major issue has been how important individual leaders are relative to the international system and domestic constraints. Trump tested this forcefully. He came forth with many non-traditional ideas that broke with decades of U.S. foreign policy. Overall, Trump may

<sup>&</sup>lt;sup>95</sup> Giovanni Maggi, "Issue Linkage," in Kyle Bagwell, Robert W. Staiger, eds., *Handbook of Commercial Policy* (Amsterdam: North-Holland, 2016); see also, Dustin Tingley and Michael Tomz. "Conditional Cooperation and Climate Change." *Comparative Political Studies* 47:3 (March 2014): 344-368, DOI: <a href="https://doi.org/10.1177/0010414013509571">https://doi.org/10.1177/0010414013509571</a>

<sup>&</sup>lt;sup>96</sup> European Commission, *Legislative Train Schedule 1 A European Green Deal*, (Brussels: European Parliament, 2021), <a href="https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-carbon-border-adjustment-mechanism">https://www.europarl.europa.eu/legislative-train/theme-a-european-green-deal/file-carbon-border-adjustment-mechanism</a>

European Commission, "Commission Launches Public Consultations on Energy Taxation and a Carbon Border Adjustment Mechanism" (press release, Brussels: European Parliament, 2020) <a href="https://ec.europa.eu/taxation\_customs/news/commission-launches-public-consultations-energy-taxation-and-carbon-border-adjustment-mechanism\_en">https://ec.europa.eu/taxation\_customs/news/commission-launches-public-consultations-energy-taxation-and-carbon-border-adjustment-mechanism\_en</a>; Nikos Tsafos, "How Can Europe Get Carbon Border Adjustment Right?" *Commentary* (blog), Center for Strategic and International Studies, 7 August 2020, <a href="https://www.csis.org/analysis/how-can-europe-get-carbon-border-adjustment-right">https://www.csis.org/analysis/how-can-europe-get-carbon-border-adjustment-right</a>

<sup>&</sup>lt;sup>97</sup> Jacob Holzman, "Biden Could Seek Carbon Taxes With Same Strategy Trump Used for Steel, Aluminum," S&P Global Market Intelligence, 11 December 2020, <a href="https://www.spglobal.com/marketintelligence/en/news-insights/latest-news-headlines/biden-could-seek-carbon-taxes-with-same-strategy-trump-used-for-steel-aluminum-61685494">https://www.spglobal.com/marketintelligence/en/news-insights/latest-news-headlines/biden-could-seek-carbon-taxes-with-same-strategy-trump-used-for-steel-aluminum-61685494</a>

<sup>&</sup>lt;sup>98</sup> For analyses of this dynamic in previous administrations, see Helen V. Milner and Dustin Tingley, *Sailing The Water's Edge: The Domestic Politics of American Foreign Policy* (Princeton: Princeton University Press, 2015).

<sup>&</sup>lt;sup>99</sup> Robert Jervis, "President Trump and International Relations Theory," in Jervis, Gavin, Rovner, and Labrosse, eds., *Chaos in the Liberal Order*.

have poisoned relations with allied and friendly nations through his comments and Twitter talk. But in reality, his administration was unable to change many foreign policies because of the strong constraints exercised by domestic institutions and foreign pressures. A policy stance of 'American First' does not provide for American security and prosperity and this generates much resistance to such a direction.

We, among many other scholars, expect the Biden administration to reverse many of the directions of the Trump administration's foreign policy. From American First, we expect a return to a more Liberal Internationalist posture. This means less unilateralism, more multilateral cooperation, a revival of American diplomacy and soft power instruments, stronger ties with the United States' allies, less coddling of autocrats like Putin, and more engagement with international institutions for dealing with transnational problems like climate change and pandemics. We do not expect a wholesale return to the policies of the period before Trump. Competition, mixed with cooperation, with China will prevail; new trade agreements will be less likely; immigration will be somewhat restrained; military interventions abroad will be less likely. But the tenor of America's foreign policy will change greatly.

Policies that promote liberal internationalism are in America's best interests. They are the best way to advance American security and prosperity. Engagement, openness to the world economy, strong ties with the United States' democratic allies, deep multilateral cooperation often within international institutions, and use of all instruments of statecraft including sanctions and foreign aid to deal with its rivals and enemies are critical to American success. As Jervis, et al. in their introduction to the earlier book about Trump that sparked this essay notes, "The clear national interests and the obvious economic benefits to powerful and widespread economic interests should provide incentives to maintain if not deepen the sorts of arrangements that have brought the United States and the West such peace and prosperity." <sup>100</sup> The world is greatly different from that imagined by Realists, where anarchy is the central and sole characteristic of the global system. <sup>101</sup>

Interdependence is the key. American security depends on the actions of other countries, not just its own. Nuclear weapons, chemical and biological weapons, not to mention space and cyber weapons and space, have global ramifications. Large-scale use of these instruments can destroy much of the world's population and lands. Every country's security depends on what others do. This is also true for the economy. Interdependence shapes all nation's economies. Innovation occurs in few countries; most are dependent on other countries for new technologies. Wages and the distribution of income domestically and globally are deeply affected now by global flows of people, capital, services, and goods. And as we have seen with the COVID crisis, the nation's health depends on what other countries do and do not do. A final example is climate change, which is a global process that can only be managed successfully through international cooperation.

Failure to recognize this interdependence and adopt policies to deal with it will leave the U.S. more vulnerable and less secure and rich. International cooperation and agreements are necessary means to manage global interdependence. The U.S., like other countries, must engage to make sure that other countries mutually adjust their policies so every country does not end up worse off. Global economic and security interdependence pressure countries to engage globally and exert constraints on those that fail to do so, much as Realists such as Kenneth Waltz claim for anarchy. Description of power balancing, interdependence pushes states to bargain and create multilateral cooperative solutions to their global problems. Ignoring the rest of the world will not make Americans safer or richer, it will simply leave everyone worse off, as Trump's trade war reveals. The constraints imposed by global interdependence force American engagement with the rest of the world. In early 2021, a bipartisan group of prominent thinkers, advising JP Morgan Chase, forcefully and publicly articulated this view on the last day of the Trump administration, arguing for a "reset" back to a time when global engagement was not construed as weakness. Description and adoption of the constraints in the construction of the constraints in th

Even before Biden's inauguration, some scholars preemptively recycled versions of past predictions about the demise of liberal internationalism. According to Walter Mead, in addition to previously touted game-changers like political polarization, a variety of

<sup>&</sup>lt;sup>100</sup> Jervis, Gavin, Rovner, and Labrosse, "Introduction," In *Chaos in the Liberal Order*, ix-xviii.

<sup>&</sup>lt;sup>101</sup> Grieco, Joseph M. "Anarchy and the Limits of Cooperation: A Realist Critique of the Newest Liberal Institutionalism." *International Organization* 42:3 (Summer 1988): 485-507, DOI: <a href="https://doi.org/10.1017/S0020818300027715">https://doi.org/10.1017/S0020818300027715</a>

<sup>&</sup>lt;sup>102</sup> Robert Jervis, "Realism, Neoliberalism, and Cooperation: Understanding the Debate." *International Security* 24:1 (Summer 1999): 42-63, DOI: https://doi.org/10.7916/d8fb5dmf.

<sup>&</sup>lt;sup>103</sup> Andrew Ross Sorkin, "Business Makes the Case for a Post-Trump Reset," *The New York Times* 1-19-2021, https://www.nytimes.com/2021/01/19/business/dealbook/trump-globalism.html.

factors like the strength of China and Russia and technological change, ensure that Trump's administration was merely another data point in an ongoing death spiral of liberal internationalism.

Today, however, the most important fact in world politics is that this noble effort [of liberal internationalism] has failed. ... the dream of a universal order, grounded in law, that secures peace between countries and democracy inside them will figure less and less in the work of world leaders. 104

This view of liberal internationalism is misleading. And the data do not support previous predictions about the demise of liberal internationalism. <sup>105</sup>

The myth of global interdependence is that it implies harmonious relations and unilateral disarmament in a general sense, as implied by the idea of a rules-based international order. This view of foreign affairs is mistaken and not based on the theories of cooperation that underlie an interdependent world, i.e., theories of liberal internationalism. Cooperation in this interdependent world relies on retaliation, sanctioning, and threats and use of economic and military statecraft. Interdependence implies that other countries' policies exert effects, often negative, on the home country. Getting that foreign country to change its policies relies on cooperative gestures offering to change one's policies and on the use of sanctioning policies if the country resists changing its policies. An interdependent world can look nasty or nice depending on whether threats of non-cooperative behavior descend into mutual defection or whether they achieve cooperative outcomes by the mutual adjustment of policies.

What does not work in such a world is a belief that a country can isolate itself and avoid all consequences of the behavior of other countries. Isolation from the externalities of others' policies is simply cost prohibitive. A country cannot shut itself off from climate change, from pandemics, from nuclear war fallout, or global economic shocks. Engagement with other countries and non-state actors is necessary for security and prosperity. But this does not mean unilateral opening or disarmament in any way. Threats, economic statecraft, and exploiting asymmetric interdependence are part of politics in an interdependent world.

This engagement is likely to be most contentious in regard to China. The Obama administration was already in the process of viewing China as a strategic competitor with whom it could work if the Chinese acted as a responsible stakeholder in the international system. Concerns about China's behavior from a U.S. point of view mushroomed during and after Obama's time in office. The Trump administration's attacks on Chinese trade, firms, and foreign investment were aggressive, but they are part of Western countries' growing realization of China's pullback from a liberal world order, as its economy has in the last decade become more state-directed and its polity more autocratic. The Biden administration will have to deal with China as its major strategic competitor. We expect that like the Trump administration it will use threats and economic statecraft, but that unlike the past president, it will be less verbally confrontational and will also try to use its allies and friends around the world to rally support for a liberal international order.

The role of international institutions also needs clarifying. These serve not mainly as rules-based organizations governing states' behavior. Rather, they operate to implement the deals wrought by states to avoid mutual defection outcomes and to make cooperative efforts more efficient. Some scholars dismissing Liberal Internationalism by claiming that these institutions no longer help. <sup>106</sup> But we think the Biden administration can and will use these to pursue American goals, as other states do and will.

While Trump was unable to dismantle and destroy many of these institutions, they do face challenges. Biden's administration may restore their place in American diplomacy. But many international institutions need reforms in order to adapt better to global changes. China is

<sup>104</sup> Walter Russell Mead, "The End of the Wilsonian Era," Foreign Affairs, 8 December 2020, https://www.foreignaffairs.com/articles/united-states/2020-12-08/end-wilsonian-era.

<sup>105</sup> Charles Kupchan and Peter L. Trubowitz, "Dead Center: The Demise of Liberal Internationalism in the United States." *International Security* 32:2 (Fall 2007): 7-44, DOI: <a href="https://doi.org/10.1162/isec.2007.32.2.7">https://doi.org/10.1162/isec.2007.32.2.7</a>; and see Stephen Chaudoin, Helen V. Milner, and Dustin H. Tingley, "The Center Still Holds: Liberal Internationalism Survives." *International Security* 35:1 (Summer 2010): 75-94, DOI: <a href="https://doi.org/10.1162/ISEC\_a\_00003">https://doi.org/10.1162/ISEC\_a\_00003</a>.

<sup>106 &</sup>quot;Institutions such as NATO, the UN, and the World Trade Organization may well survive (bureaucratic tenacity should never be discounted), but they will be less able and perhaps less willing to fulfill even their original purposes, much less take on new challenges." Walter Russell Mead, "The End of the Wilsonian Era," Foreign Affairs, 8 December 2020, https://www.foreignaffairs.com/articles/united-states/2020-12-08/end-wilsonian-era

likely to displace American influence in these institutions and raises new questions about how they will operate. During the Cold war, institutions containing both the U.S. and USSR were often hamstrung. China is now part of many institutions that undergird the liberal international order. Were China just another large capitalist democracy this would cause problems, but given that its state-led economy is not a typical capitalist one and that it is not a democracy, these problems are likely to be profound. On the other hand, the U.S. may be seen as more inconstant than ever. Its domestic politics are polarized between two similarly electoral sized groups that may alternate in office over time. How can U.S. foreign policy, and its threats and promises, then be considered credible?

On the domestic front, we expect the constraints that held back Trump to also operate for Biden. In Trump's case the constraints operated to prevent more of a turn to America First policies. The U.S. bureaucracy, Congress, the courts, the media, and public opinion to some extent blocked Trump's pursuit of retrenchment, more unilateral, and more deregulatory foreign policies. This was an unusual position for them; in most administrations since World War II, the executive branch has tended to be more internationalist than most of these domestic actors. Domestic pressure *against* more global engagement, more multilateralism, more military and foreign-aid spending has been predominant in the past. We expect a return to this posture. The Biden administration, while pursuing internationalist policies, will need to tailor that engagement to ensure better and fairer outcomes for the median U.S. voter. Openness to trade, immigration, and foreign investment will need to be conditioned by the domestic distributive effects of such flows. Asserting more demands for improving the treatment of labor, the environment, human rights, and other regulatory priorities in agreements with other countries in exchange for access to the U.S. market will be important. Conditional openness is likely to be a robust part of Biden's foreign policy.

Much of our analysis considers the role of domestic and international institutions. We think that a future round of scholarship on the design of these institutions is warranted. For international institutions, the Trump presidency brought a number of questions to the fore. For example, how can escape and exit clauses <sup>107</sup> be specifically designed to maintain international cooperation while facilitating countries participating in the first place. Similarly, there are important questions around how much influence powerful and important countries, like the United States, should have in these organizations. While occupying an influential role in an institution can increase the incentives to meaningfully engage, it can also come with the tradeoff that this can disadvantage other countries. Designing institutions to deal with this fundamental tradeoff remains important.

Domestically, a number of questions around institutional design are important to consider. Some of these are more pertinent to purely domestic issues, like rule of law and corruption, which is important given Trump's disregard of previous rules and norms. <sup>108</sup> But other questions that bear more directly on foreign policy are also present. Classic issues around the relative roles of Congress and the presidency in shaping American foreign policy remain politicized and up for grabs. For example, the party out of power always laments the heavy reliance on Executive Orders. But these orders are used to circumvent constraints, and yet can be unwound by the next administration. It remains to be seen if American political institutions can be established that appropriately limit this dynamic and provide more consistency and credibility to American foreign policy.

Another issue is the relative role of interests and norms. Trump challenged and broke a number of norms in both domestic and foreign politics. We have focused on policy changes because we believe these are very important; norms, of course, are also clearly important especially at the domestic level in terms of democratic standards. Trump and his administration have criticized and violated many long-standing norms. This has been and will continue to be costly to the U.S. in terms of foreign policy in the long run. American soft power has been hurt. Other countries, especially non-democratic ones, can now point to Trump's words and behavior to justify their norm-breaking, and America's ability to call out others' bad behavior has been diminished. On the normative side then, the Trump administration has had a sizable negative impact. Can these norms be reconstructed for the changed world we inhabit? We expect that while pursuing American national interests the Biden administration to renew American engagement with the world in ways that reinvigorate global norms for cooperative behavior.

<sup>&</sup>lt;sup>107</sup> Peter B. Rosendorff and Helen V. Milner. "The Optimal Design of International Trade Institutions: Uncertainty and Escape." *International Organization* 55:4 (Autumn 2001): 829-857, DOI: https://doi.org/10.1162/002081801317193619.

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